

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRADLEY A. ARNDT,

Plaintiff,

v.

Case No. 2:15-cv-11108
District Judge Paul D. Borman
Magistrate Judge Anthony P. Patti

FORD MOTOR COMPANY,

Defendant.

**ORDER GRANTING DEFENDANT’S MOTION TO COMPEL AN
INDEPENDENT FORENSIC MENTAL EXAMINATION OF PLAINTIFF
AND EXTENDING THE EXPERT DISCOVERY DEADLINE (DE 22)**

This matter is before the Court for consideration of Defendant’s motion to compel an independent mental examination (“IME”) of Plaintiff (DE 22), Plaintiff’s response (DE 26), and Defendant’s reply (DE 30). Defendant seeks to compel Plaintiff to undergo a forensic mental health examination by Drs. Liza H. Gold and Daniel Murie, a psychiatrist and psychologist respectively. It asserts that such an examination is necessary to allow Defendant to challenge Plaintiff’s proofs on the topics of 1) whether Plaintiff has a qualifying disability under the Americans with Disabilities Act, 42 U.S.C. § 12102 (“ADA”) and 2) if so, what, if anything, would be a reasonable accommodation that would enable him to perform

his job duties. Plaintiff opposes the motion, asserting that he has not put his mental health in controversy.

This matter came before me for a hearing on December 22, 2015. For the reasons stated on the record, Defendant's motion is **GRANTED**, with the following specifications:

1. The purpose of the IME is limited to allowing Defendant to challenge Plaintiff's mental health proofs on the topics of 1) whether Plaintiff has a qualifying disability under the ADA; 2) if so, what, if anything, would be a reasonable accommodation that would enable him to perform his job duties; 3) the severity of Plaintiff's PTSD; and 4) the general nature of PTSD.
2. The IME will be conducted at or near Plaintiff's home town of Vestabia, Alabama or in Detroit, Michigan when Plaintiff is in town for a deposition. The choice of location (Alabama or Michigan) will be Plaintiff's. Defendant will reimburse Plaintiff for any reasonable expenses incurred which are related to his attendance at the IME, excluding travel to or from Michigan.
3. The IME will be conducted over one to two days, depending on Plaintiff's preference.
4. The IME must occur on or before February 7, 2016.
5. Defendant shall serve the IME reports on Plaintiff on or before February 21, 2016.

6. Defendant shall make Drs. Gold and Murie available for deposition by Plaintiff on or before March 14, 2016.
7. The deadline for expert discovery will be extended to March 31, 2016.

IT IS SO ORDERED.

Dated: December 23, 2015

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing was sent to parties of record on December 23, 2015, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti